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11 *Attorneys for Plaintiff, The Bank of New York Mellon Trust Company, National Association fka The*
12 *Bank of New York Trust Company, N.A. as successor to JPMorgan Chase Bank, as Trustee for*
13 *Residential Asset Securities Corporation, Home Equity Mortgage Asset-Backed Pass Through*
14 *Certificates Series 2004-KS5*

15 **UNITED STATES DISTRICT COURT**
16 **DISTRICT OF NEVADA**

17 THE BANK OF NEW YORK MELLON
18 TRUST COMPANY, NATIONAL
19 ASSOCIATION f/k/a THE BANK OF NEW
20 YORK TRUST COMPANY, N.A. AS
21 SUCCESSOR TO JP MORGAN CHASE
22 BANK, AS TRUSTEE FOR RESIDENTIAL
23 ASSET SECURITIES CORPORATION,
24 HOME EQUITY MORTGAGE ASSET-
25 BACKED PASS THROUGH CERTIFICATES
26 SERIES 2004-KS5,

27 Plaintiff,

28 vs.

AIRMOTIVE INVESTMENTS, LLC.;
PECKHAM LANE TOWNHOUSE
ASSOCIATION INC.; E.ALAN TIRAS, ESQ.,
solely in his capacity as trustee for PECKHAM
LANE TOWNHOUSE ASSOCIATION INC.

Defendants.

Case No.: 3:17-cv-00059-MMD-WGC

**STIPULATION AND ORDER TO
EXTEND DEADLINE TO FILE
RESPONSE TO MOTION TO DISMISS
FIRST AMENDED COMPLAINT**

(First Request)

Plaintiff, The Bank of New York Mellon Trust Company, National Association fka The
Bank of New York Trust Company, N.A. as successor to JPMorgan Chase Bank, as Trustee for
Residential Asset Securities Corporation, Home Equity Mortgage Asset-Backed Pass Through

1 Certificates Series 2004-KS5 (“BONY”), and Defendant, E. Alan Tiras, Esq. (“Tiras”)
2 (collectively the “Parties”), by and through their counsel of record, hereby stipulate and agree as
3 follows:

4 On December 12, 2017, BONY filed its First Amended Complaint which added Tiras as
5 a defendant [ECF No. 29]. On February 20, 2018, Tiras filed his Motion to Dismiss First
6 Amended Complaint [ECF No. 44]. The deadline for BONY to respond to the Motion to Dismiss
7 is currently March 6, 2018. The Parties have discussed extending the deadline for BONY to file
8 its response to March 20, 2018.

9 This is the first stipulation for extension of time for BONY to respond to Tiras’ Motion to
10 Dismiss. The extension is requested for scheduling reasons and is made in good faith and is not
11 for purposes of delay or prejudice to any other party.

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1 WHEREFORE, based on the foregoing, IT IS HEREBY STIPULATED AND AGREED
2 that the deadline for BONY to file its response to Tiras' Motion to Dismiss shall be extended to
3 March 20, 2018.

4 DATED this 28th day of February, 2018.

DATED this 28th day of February, 2018.

5 WRIGHT, FINLAY & ZAK, LLP

LAXALT & NOMURA, LTD.

6 /s/ Krista J. Nielson

/s/ Ryan W. Leary

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Esq.

15 *fka The Bank of New York Trust Company,*

16 *N.A. as successor to JPMorgan Chase Bank,*

17 *as Trustee for Residential Asset Securities*

18 *Corporation, Home Equity Mortgage Asset-*

19 *Backed Pass Through Certificates Series*

20 *2004-KS5*

21 **IT IS SO ORDERED.**

22 DATED this 28th day of February, 2018.

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U.S. DISTRICT JUDGE